UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
2211 UNITED STATES COURTHOUSE
75 SPRING STREET, SW
ATLANTA, GEORGIA 30303-3361

JAMES N. HATTEN
CLERK OF COURT

CIVIL SECTION
404-215-1655

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U.S.D.C. - Atlanta
OCT 31 2008
JAMES N. HATTEN, Clerk
By: Deputy Clerk

U.S. COURT OF APPEALS
RECEIVED
CLERK
OCT 29 2008
ATLANTA, GA.

October 28, 2008

Thomas K. Kahn, Clerk
U.S. Court of Appeals, Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

08-16148 GG

U.S.D.C. No.: 1:08-cv-0421-TWT
U.S.C.A. No.: 00-00000-00
In re: ***Maureen Toffoloni v. LFP Publishing Group, LLC***

Enclosed are documents regarding an appeal in this matter. Please acknowledge receipt on the enclosed copy of this letter.

X **Certified copies of the notice of appeal, docket sheet, judgment and order appealed enclosed.**

____ This is not the first notice of appeal. Other notices were filed on: .

X **There is no transcript.**

____ The court reporter is .

____ There is sealed material as described below: .

____ Other: .

X **Fee paid on 10/27/08; Receipt No. 113E0000000001877518.**

____ Appellant has been leave to file *in forma pauperis*.

____ This is a bankruptcy appeal. The Bankruptcy Judge is .

____ The Magistrate Judge is .

X **The District Judge is Thomas W. Thrash, Jr.**

____ This is a **DEATH PENALTY** appeal.

Sincerely,

James N. Hatten
Clerk of Court

By: /s/ *Kimberly Carter*
Deputy Clerk

Enclosures

Dockets.Justia.com

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Thomas K. Kahn
Clerk

For rules and forms visit
www.ca11.uscourts.gov

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October 30, 2008

Richard P. Decker
Decker, Hallman, Barber & Briggs
260 PEACHTREE ST NW STE 1700
ATLANTA GA 30303-1239

Appeal Number: 08-16148-G
Case Style: Maureen Toffoloni v. LFP Publishing Group, LLC
District Court Number: 08-00421 CV-TWT-1

CIVIL APPEALS ARE GOVERNED BY STRINGENT PROCEDURES FOR REQUESTING EXTENSIONS OF TIME TO FILE BRIEFS AND RECORD EXCERPTS. RULES PROVIDE FOR DISMISSAL WITHOUT FURTHER NOTICE WHEN A BRIEF OR RECORD EXCERPTS IS NOT FILED OR CORRECTED WITHIN THE TIME PERMITTED. PLEASE SEE THE CIRCUIT RULES AT WWW.CA11.USCOURTS.GOV.

The referenced case was docketed in this court on October 29, 2008. Please use the appellate docket number noted above when making inquiries. An appeal may be dismissed for failure to comply with the Federal Rules of Appellate Procedure and the rules of this court. Motions for extensions of time to file a brief are frowned upon by the court.

Pursuant to 11th Cir. R. 12-1, the record in this appeal was deemed completed and filed on the date the appeal was docketed in this court. Eleventh Circuit Rule 31-1 requires that APPELLANT'S BRIEF AND RECORD EXCERPTS BE SERVED AND FILED WITHIN FORTY (40) DAYS FROM THE DATE THE APPEAL WAS DOCKETED IN THIS COURT. This is the only notice you will receive concerning the due date for filing briefs and record excerpts. (In cross-appeals pursuant to Fed.R.App.P. 28(h), the party who first files a notice of appeal is the appellant unless the parties otherwise agree.) See Fed.R.App.P. 28, 30, 31 and 32, and the corresponding circuit rules, for further information on preparing briefs and record excerpts.

In addition to providing the required number of paper copies of briefs, all parties (except pro se parties) are required, additionally, to provide briefs in electronic format as described in 11th Cir. R. 31-5 and the enclosed instructions. Electronic briefs must be in Adobe Acrobat® PDF file format. The electronic brief must be completely contained in one PDF file, i.e., cover page through and including the certificate of service. The address wrapper accompanying this letter contains counsel's individual identification number (EDF ID) for electronic brief uploading. When uploading a brief for the first time, you will be prompted to register and create a password known only by you for all future uploads.

We have not yet received the Certificate of Interested Persons and Corporate Disclosure Statement (CIP) required by FRAP 26.1 and the accompanying circuit rules. The rules provide that the certificate must be filed by every appellant [and cross-appellant] with this court within 10 days after the appeal is docketed in this court, or along with the filing in this court by any party of any motion, petition, or pleading, whichever occurs first. The rules further provide that on the same day a paper certificate is served, the party filing it must also complete the court's web-based certificate at the "Electronic Filing" link of the court's website, www.ca11.uscourts.gov, by electronically providing the information required for that form. Only the ticker symbols for publicly traded corporations that are listed on the paper CIP must be entered in the web-based system. If your CIP does not include any publicly traded corporations, you are required to go to the website and simply click the button indicating that you have no publicly traded corporations to report. Pro se parties are not required or authorized to complete the web-based certificate.

You are hereby notified that the clerk is not authorized to submit to the court any brief (except for the reply brief of an appellant or cross-appellant), petition, answer, motion or response that does not contain the certificate, but may receive and retain the papers pending supplementation of the papers with the required certificate. You are also hereby notified that failure to submit the required certificate will result in your document(s) being returned unfiled which may ultimately result in dismissal of your appeal.

Attorneys who wish to participate in this appeal must be properly admitted either to the bar of this court or for this particular proceeding pursuant to 11th Cir. R. 46-1, et seq. An attorney not yet properly admitted must file an appropriate application for admission within fourteen (14) days from this date. In addition, all attorneys who wish to participate in this appeal must complete and return an appearance form within fourteen (14) days from this date. Application forms and appearance forms are available on the Internet at www.ca11.uscourts.gov. The clerk may not accept motions or other filings from an attorney until that attorney files an appearance form. See 11th Cir. R. 46-5.

11th Cir. R. 33-1(a)(1) requires appellant to file "with the clerk of the court of appeals, with service on all other parties, an original and one copy of a completed Civil Appeal Statement within 10 days after filing the notice of appeal in the district court." Civil Appeal Statement forms are available on the Internet at www.ca11.uscourts.gov and as provided by 11th Cir. R. 33-1(a)(4).

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Tonya Richardson (ecm) (404) 335-6176